**S.B.CRIMINAL MISC. BAIL APPLICATION NO.4626/2006**

Date : 06.11.2006

**HON'BLE MR. SATYA PRAKASH PATHAK, J.**

Mr. Mahesh Bora for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

Without expressing any opinion on the merit of the case and taking into consideration the overall facts and circumstances of the present case and the fact that contraband material recovered is above commercial quantity, I do not find it to be a fit case to extend benefit of bail to the applicant. Accordingly, the bail application moved by the applicant under Section 439 Cr.P.C. is rejected.

**(SATYA PRAKASH PATHAK), J.**

**vijayant**